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**OFFICE OF PETITIONS**

In re Application of	:	DECISION GRANTING FILING
Wu et al	:	DATE OF FEBRUARY 23, 2004
Application No. 10/785,644	:	
Filed: February 23, 2004	:	
Attorney Docket No.	:	
07783.0063.CPUS02	:	

This is a decision on the petition filed August 18, 2004, requesting that the above-identified application be accorded a filing date of February 23, 2004 rather than the presently accorded date of February 24, 2004.

Petitioner requests the earlier filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on February 23, 2004 pursuant to 37 CFR 1.10. In support, petitioner has submitted a copy of Express Mail Label No. EL615431096US showing a stamped date of February 23, 2004. The same Express Mail receipt number appears on the original "Utility Patent Application Transmittal."

In view of the USPS receipt stamp of February 23, 2004, appearing on the same Express Mail label number as shown on the transmittal for the instant application, it is concluded that the application was deposited as "Express Mail" with the USPS on February 23, 2004.

The petition is granted.

Telephone inquiries specific to this decision on petition should be directed to Karen Creasy at (703) 305-8859.

This matter is being referred to the Office of Initial Patent Examination for processing with a filing date of February 23, 2004 and for mailing of a corrected filing receipt.

*Brian H*  
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Brian Hearn  
Senior Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

CC:

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